

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

1:21-cv-796-RP

STATE OF TEXAS,

§

Defendant.

§

ORDER

On August 26, 2022, Plaintiff and Intervenor-Defendant Oscar Stilley dismissed all claims in this case without prejudice by joint stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (Dkt. 97). “Stipulated dismissals under Rule 41(a)(1)(A)(ii) . . . require no judicial action or approval and are effective automatically upon filing.” *Yesh Music v. Lakewood Church*, 727 F.3d 356, 362 (5th Cir. 2013).

On the same date, Plaintiff dismissed all claims against the remaining Defendants in this case without prejudice. (Dkt. 96). Rule 41(a)(1)(A)(i) allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Defendants have not served answers or motions for summary judgment. Plaintiff’s notice is therefore “self-effectuating and terminates the case in and of itself; no order or other action of the district court is required.” *In re Amerijet Int’l, Inc.*, 785 F.3d 967, 973 (5th Cir. 2015), *as revised* (May 15, 2015).

As nothing remains to resolve, **IT IS ORDERED** that the case is **CLOSED**.

SIGNED on August 29, 2022.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE